

## **AFTER ACTION AGENDA**

**REGULAR CITY COMMISSION MEETING  
MONDAY, OCTOBER 7, 2013  
6:30 P.M.**

**DELTONA COMMISSION CHAMBERS  
2345 PROVIDENCE BLVD.  
DELTONA, FLORIDA**



### **AGENDA**

- 1. CALL TO ORDER**
- 2. ROLL CALL - CITY CLERK**
- 3. INVOCATION AND PLEDGE TO THE FLAG:**
  - A. Silent Invocation Presented by Mayor Masiarczyk.**
- 4. APPROVAL OF MINUTES & AGENDA:**
  - A. Approval of Minutes - Regular City Commission Meeting of September 16, 2013.**

**The Commission voted unanimously to approve the minutes of the Regular City Commission Meeting of September 16, 2013.**
  - B. Additions or Deletions to Agenda.**
- 5. PRESENTATIONS/AWARDS/REPORTS:**
  - A. Presentation - Super Star Student of the Month Certificates for August/September, 2013.**
  - B. Proclamation - Fire Prevention Week October 6-12, 2013.**
  - C. Presentation to Cassie Niemiec for Outstanding Assistance to her Neighborhood was read into the minutes.**

**6. PUBLIC FORUM – Citizen comments for any items.  
(4 minute maximum length)**

**CONSENT** All items marked with an \* will be considered by one motion unless removed  
**AGENDA:** from the Consent Agenda by a member of the City Commission. If an item is removed for clarification only, it will be discussed immediately following action on the Consent Agenda. If an item is removed for further discussion, it will be discussed under New Business immediately following the last listed item.

**7. CONSENT AGENDA:**

- \*A. Request for approval to award Bid #PW 13-15 for as needed Asphalt paving and resurfacing.

*Purchasing solicited a bid seeking qualified vendors to provide services that may typically include but that are not limited to Asphalt Paving and Resurfacing for City streets on an annual, as needed basis.*

*Three firms submitted bids based on the scope of work:*

- 1. Halifax Paving \$79.50 per ton*
- 2. Masci Corporation \$97.00 per ton*
- 3. P & S Paving \$82.50 per ton*

*Staff have analyzed the bids submitted. Based on overall pricing per ton, staff requests approval that Halifax Paving be used to provide these services as needed for an initial period of one year with the option to renew for three additional one year periods.*

Approved by Consent Agenda – to approve award to Halifax Paving to be utilized as needed for an agreement period of one (1) year with the option to renew for three (3) additional one (1) year periods at an annual cost not to exceed \$500,000 in the FY 13/14 and not to exceed the Commission appropriated funds for each additional fiscal year during the remaining terms of the contract.

- \*B. Request for approval to award Bid # PW 13-16, Courtland Blvd./Skate Park Stormwater Improvements.

*Public Works solicited bids for the Courtland Blvd. / Skate Park Stormwater Improvements Project. Heavy rains in the past have caused flooding over the road and making it impassable for pedestrian and vehicular traffic. Improvements are needed to alleviate localized flooding, minimize the interruption of traffic flow and maximize the impact of public safety. The project will provide for the construction of a permanent storm conveyance system from the drainage retention*

*area to be constructed in the Courtland Blvd right-of-way. The project is in the 2013/2014 CIP budget and will be completed in the FY2013/2014 budget year.*

Approved by Consent Agenda – to award Bid #PW-13-16 for the Courtland Blvd. / Skate Park Stormwater Improvements Project to Hazen Construction, LLC at a total cost of \$139,440.00.

**\*C. Request for approval to award Bid # PW 13-17 for As Needed Electric Motor and Industrial Pump Repairs.**

*Purchasing solicited a bid seeking qualified vendors to provide services that may typically include but that are not limited to the repairs of electric motors and industrial pumps on an as needed basis.*

*Four firms submitted bids based on the scope of work:*

- 1. C & C Electric Works at \$18.00 per hour*
- 2. Florida Electric Motor Service at \$19.95 per hour*
- 3. Pat's Pump and Blower at \$55.00 per hour*
- 4. TAW Orlando Service Center at \$45.00 per hour*

*Staff have analyzed the bids submitted. Based on overall pricing per their hourly rate, staff requests approval that C & C Electric Works be utilized to perform the services required. C & C Electric Works has the experience needed to perform the work required, as they are the incumbent of the previous contract and staff have no issues with their past performance and quality of work.*

Approved by Consent Agenda – to approve award to C & C Electric Works to be utilized as needed for an agreement period of one (1) year with the option to renew for three (3) additional one (1) year periods at an annual cost not to exceed \$150,000 in the FY 13/14 and not to exceed the Commission appropriated funds for each additional fiscal year during the remaining terms of the contract.

**\*D. Request for approval to award Bid #13019 for as needed electrical services.**

*Purchasing solicited bids seeking licensed and qualified Electrical Contractors to provide services that may typically include, but that are not limited to, electrical services for City facilities and buildings on an annual, as needed basis.*

*The bid was posted on [www.demandstar.com](http://www.demandstar.com) and 315 companies were notified. Thirteen companies downloaded the bid and two responses were received from Electrical Solutions and Chinchor Electric. The bid tabulation is attached.*

Approved by Consent Agenda – to approve award of Bid #13019 for as needed Electrical Services to Electrical Solutions to be used as needed within the appropriated funding for each fiscal year throughout the award term.

**\*E. Request for consideration for renewal of Halifax Humane Society Contract.**

*The Building and Enforcement Services Department utilizes Halifax Humane Society to house, care for and provide the humane disposition of impounded animals. Currently, there are only two humane societies that accept stray animals in Volusia County. Halifax Humane Society is one of the facilities that we utilize on an as needed basis. There are no other known facilities who can perform or provide this service.*

*There is no increase in fees this year.*

Approved by Consent Agenda – to renew the contract for services between Halifax Humane Society and the City of Deltona as specified for an additional year from October 1, 2013 through September 30, 2014.

**\*F. Request for consideration for renewal of South East Volusia Humane Society.**

*The Building and Enforcement Services Department utilizes South East Volusia Humane Society to house, care for and provide the humane disposition of impounded animals. Currently, there are only two humane societies that accept stray animals in Volusia County. South East Volusia Humane Society is one of the facilities that we utilize on an as needed basis. There are no other known facilities who can perform or provide this service.*

*There is no increase in fees this year.*

Approved by Consent Agenda – to renew the contract for services between South East Volusia Humane Society and the City of Deltona as specified for an additional year from October 1, 2013 through September 30, 2014.

**G. Request for approval of 2013-2014 Law Enforcement Services Agreement.**

*This Amendment is to authorize the County of Volusia to continue to provide law enforcement services and equipment to the City of Deltona for fiscal year 2013-2014, for the sum of \$9,594,958.00. The amended price allows for an increase of \$325,658.00 or 3.4% from the current 2012-2013 fiscal year's cost of \$9,269,300.00.*

*The Agreement continues to provide the City of Deltona with 76 sworn personnel inclusive of supervisors as full staffing, and three (3) unsworn office workers.*

After discussion, the Commission voted unanimously to authorize the Mayor and Acting City Manager to execute the Law Enforcement Services Agreement for fiscal year 2013-2014 in the amount of \$9,594,958.00.

**\*H. Request for consideration of change in Commission meeting dates for 2013 holiday season and approval of the 2014 holiday meeting schedule.**

*In the past, the Commission has in some years chosen to change the Commission meeting schedule in December due to the holiday season, i.e. combining the two (2) meetings in December to one (1) meeting per month. The upcoming Commission schedule includes Regular Commission meetings on:*

*Regular Commission Meetings:*

- *Monday, December 2nd; and*
- *Monday, December 16th.*

*as well as Commission workshop meetings tentatively scheduled for December 9th and 23rd.*

*In 2011 and 2012 it was suggested and agreed upon at a regular City Commission meeting to change the December Commission meeting schedule to include only one Regular Commission meeting in the middle of the month of December and no Commission workshop meetings during the month of December.*

*Also, attached for the Commission's approval is the proposed schedule for City Commission meetings and for the Commission's information the invocation schedule for 2014.*

Approved by Consent Agenda – to change the December meeting schedule to include only one (1) Regular Commission meeting on Monday, December 16th and no Commission Workshops during the month of December 2013 and to approve the meeting calendar for 2014 as presented.

**8. ORDINANCES AND PUBLIC HEARINGS:**

**A. Public Hearing – Ordinance No. 12-2013, amending Subpart A, Chapter 38, “Environment”, by adding new Article VII “Stormwater Discharge Pollutant Control” and new Article VIII “Florida-Friendly Fertilizer use on Urban Landscapes, at second and final reading.**

*Staff is proposing for the City Commission's approval the following new Article VII and Article VIII to Subpart A of Chapter 38 of the City of Deltona's Code of Ordinances:*

### ***Chapter 38 - Environment***

***Article VII - “Stormwater Discharge Pollutant Control”*** – As part of the improvement guide that EPA issued to the State of Florida for their MS4 Permit Program (a permit which we are issued by the State) there needs to be some changes to our ordinances in order to satisfy these permit requirements and effectively eliminate pollutants in our stormwater to the maximum extent practicable.

***Article VIII “Florida-Friendly Fertilizer Use on Urban Landscapes”*** – Required by Florida Statute - Section 403.9337, F.S., which states that each county and municipal government located within the watershed of a water body or water segment that is listed as impaired by nutrients (Lake Monroe) pursuant to s. 403.067, shall, at a minimum, adopt the department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.

**After discussion, the Commission voted 6 to 1 (Vice Mayor Denizac voted against the motion) to adopt Ordinance No. 12-2013 at second and final reading.**

#### **9. OLD BUSINESS:**

#### **10. NEW BUSINESS:**

- A. Request for approval to execute Cost Share Agreement with the St. Johns River Water Management District for the Doyle Road Reclaimed Water Interconnect Project and the Howland Blvd. Phase 3 Reclaimed Water Construction Project.**

*To promote conservation, development and proper utilization of surface and ground water, the St. John's River Water Management District has initiated a cost sharing program for construction projects within its jurisdiction that promote water resource initiatives. A Cost Share Agreement would provide the City with funding from the St. John's River Water Management District for an amount not to exceed 40% of the total construction costs of projects that fall within these parameters. Two future City projects have been identified as projects that meet these guidelines. They are as follows:*

*1. The Doyle Road Reclaimed Water Interconnect Project: This project will connect the reclaimed lines recently constructed on SR415 to the existing lines on Doyle Road and provide service connections to future customers. A cost sharing agreement with SJRWMD would cover 40% of the costs to connect these lines. The Districts committed amount for this project would be \$2,400,000 over a 2 year period. Construction for this project will be completed in the FY 2014-2015.*

*2. The Howland Blvd. Phase 3 Utility Relocate Project: This project will relocate*

*and upgrade utilities as part of the overall City-wide road widening plan. A cost sharing agreement with SJRWMD would cover 40% of the costs to install any new reclaimed water mains on Howland Blvd. from Courtland Blvd. to SR415, at the WalMart center. The Districts committed amount for this project would be \$196,000. Construction for this project would be completed in FY 2013-2014.*

*This action supports the City's intent to secure maximum eligibility for all anticipated water construction projects utilizing alternative costs with available funding and grants available.*

**After discussion, the Commission voted unanimously to approve and execute the Cost Share Agreement with the St. Johns River Water Management District for the Doyle Road Reclaimed Water Interconnect Project and the reclaimed portion of the Howland Blvd. Phase 3 Utility Relocate Project.**

**B. Request for approval to execute Joint Project Agreements with Volusia County for both the Saxon Blvd. Utility and Stormwater Improvements project and the Howland Blvd. phase 3 widening project.**

*The following two projects have been approved in the Water / Sewer Utility Fund budget for the FY 13-14. The intersection improvements at Ft. Smith Blvd. have been approved in the Public Works Transportation fund budget for the FY 13-14.*

*1. Saxon / Providence Intersection Utility Relocates - The City will be relocating and making adjustments and/or improvements to utility mains located at the Saxon Blvd. and Providence Blvd. intersection to coincide with the County's efforts to repair and replace deteriorating storm drain piping and structures and resurface a portion of Saxon Boulevard between Landover Avenue and Cranbrook Drive.*

*2. Howland Blvd. Utility Relocate, Phase 3 - The City will be relocating and upgrading utilities as part of the overall City-wide road widening plan. This work includes incorporating eleven hundred feet of widening on Ft. Smith Blvd at the intersection with Howland Blvd. This phase will coincide with the County constructing, reconstructing, improving and four-laning of Howland Blvd. from Courtland Blvd. to SR415, at the WalMart center.*

*City Staff and the County have determined that it would be in the best interest of the general public and an economic advantage of both parties to enter into a Joint Project Agreement, for these projects, providing for construction of the County's road work, and the City's road and utility work to be combined into two joint projects.*

*The construction plans and specifications for the City's portion of both projects will be incorporated into two separate future County solicitations, which are to be bid by the County prior to the end of 2013. Payment will be made to the County*



*for the work being performed by a General Contractor on the Saxon Blvd. project. The City will also make direct payments to the County performing the work on the Howland Blvd. Phase 3 project.*

After discussion, the Commission voted unanimously to approve and authorize the execution, by the Mayor, of both Joint Project Agreements for the Utility and Stormwater Improvements of Saxon Blvd. and for the Utility Adjustment and Road Construction of Howland Blvd. with Volusia County.

**C. Request for approval of Meadowlark Drive Right-of-Way Dedication.**

*The subject tract is a portion of the Meadowlark Drive right-of-way located north of Baton Drive that includes an existing street and stormwater system that is designed only to serve this roadway facility. This portion of Meadowlark Drive extends approximately 510 feet north of Baton Drive to a dead-end terminus and is designed to eventually provide access to undeveloped residentially zoned and planned property to the north.*

*The owner of the property to the north, SP Residential Land, LLC, is the owner of the subject right-of-way proposed for this dedication. Meadowlark Drive also provides access to Spirit Elementary School and Lake Baton Estates subdivision. On June 11, 2013, the Volusia County School Board approved Resolution No. 2013-17 that canceled their 2006 agreement with the current owner of the right-of-way for access to Spirit Elementary School, contingent upon dedication and conveyance of the subject tract to the City of Deltona at no cost to the City. The City Engineer is prepared to accept this right-of-way dedication and the perpetual maintenance of the infrastructure improvements on behalf of the City.*

After discussion, the Commission voted unanimously to approve the dedication of that portion of Meadowlark Drive right-of-way, extending approximately 510 north of Baton Drive, and the associated Special Warranty Deed.

**11. CITY COMMISSION COMMENTS:**

**12. CITY ATTORNEY COMMENTS:**

**13. CITY MANAGER COMMENTS:**

**14. ADJOURNMENT:**

**NOTE:** If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.